

# Occupational Licensing, Certification, or Registration based upon Military Training or for Military Spouses

G.S. 93B-15.1



LRC Committee on Civilian Credit  
for Military Training and AG Selection Criteria

Research Division  
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# Military Training Requirement

“(a) Notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this State if, upon application to an occupational licensing board, the applicant satisfies the following conditions:”

[The State Board of Education shall be considered an occupational licensing board when issuing teacher licenses under G.S. 115C-296. The statute does not apply to the North Carolina Medical Board or the State Bar.]

# Application

"Occupational licensing board" means any board, committee, commission, or other agency in North Carolina which is established for the primary purpose of regulating the entry of persons into, and/or the conduct of persons within, a particular profession or occupation, and which is authorized to issue licenses; "occupational licensing board" does not include State agencies, staffed by full-time State employees, which as a part of their regular functions may issue licenses." G.S. 93B-1 (1957)

# Standards for Issuance—Military Training

(1) Has the applicant:

- Been awarded a military occupational specialty.
- **Done all of the following at a level that is substantially equivalent to or exceeds the requirements** for licensure, certification, or registration of the occupational licensing board:
  - Completed a military program of training.
  - Completed testing or equivalent training and experience **as determined by the board.**
  - **Performed in the occupational specialty.**

# Standards—Military Training, continued

(2) Has engaged in **the active practice** of the occupation for which the person is seeking a license, certification, or permit from the occupational licensing board in this State for **at least two of the five years preceding the date of the application** under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.

(4) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.

# Standards for Military Spouses

“(b) Notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military spouse to allow the military spouse to lawfully practice the military spouse's occupation in this State **if, upon application to an occupational licensing board, the military spouse satisfies the following conditions:**”

# Standards for Military Spouses

- (1) Holds a current license, certification, or registration from another jurisdiction, and **that jurisdiction's requirements** for licensure, certification, or registration **are substantially equivalent to or exceed the requirements** for licensure, certification, or registration of the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.
- (2) **Can demonstrate competency** in the occupation through methods as determined by the Board, **such as** having completed continuing education units or **having had recent experience for at least two of the five years preceding the date of the application under this section.**

## Standards--Spouses, continued

- (3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.
- (4) Is in good standing and has not been disciplined by the agency that had jurisdiction to issue the license, certification, or permit.
- (5) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.



# Other Provisions

- All relevant experience of a military service member in the discharge of official duties or, for a military spouse, all relevant experience, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited.
- An occupational licensing board may issue a temporary practice permit to an applicant with licensure in another jurisdiction while the applicant is satisfying the requirements for licensure **if the jurisdiction has standards that are substantially equivalent to the standards** of an occupational licensing board in this State.
- Residency not required.
- An occupational licensing board may adopt rules necessary to implement this section.

# Occupational Licensing Board Survey Results:

## Impact of G.S. 93B-15.1

# Survey Questions

- The boards were asked four questions:
  - How many veterans have sought to utilize G.S. 93B-15.1 in applying for licensure?
  - How many veterans have received a license based in part on credit given under this statute?
  - What rules or policies has the board or commission issued to guide its implementation of the statute?
  - What suggestions or recommendations does the board or commission have for ways to make the statute more effective?

# Survey Results: Participants

- 64 occupational licensing boards were contacted, and 63 provided responses.
- Most occupational licensing boards reported that no veterans have sought to utilize the statute in applying for licensure.
  - 60 out of 63 boards reported no applicants.

# Survey Results: Board of Dental Examiners

- The Board of Dental Examiners reported 27 applicants.
- 25 of those 27 applicants have received licensure.
- The remaining two applications are still pending.
- Of those who have received licensure, 22 were dentists and three were dental hygienists
  - The three dental hygienists were military spouses.

# Survey Results: Board of Licensed Professional Counselors

- The Board of Licensed Professional Counselors reported that no veterans and two military spouses sought to use the statute.
  - Both military spouse applicants received licenses.

# Survey Results: Board of Optometry

- The Board of Optometry reported five applicants: four veterans and one military spouse.
  - One applicant did not qualify for licensure.
  - One has been awarded a license.
  - The remaining three applicants are currently being evaluated under a process the Board established to comply with the statute.

# Survey Results: Board of Physical Therapy Examiners

- The Board of Physical Therapy Examiners reported one applicant.
  - The applicant's credentials were not deemed to be "substantially equivalent" at the time; however, the applicant is currently enrolled in a program and should be eligible for licensure this spring.



# Survey Results: Considering Military Training Prior to G.S. 93B-15.1

- 18 boards reported that military applicants do not use the statute because either:
  - The board has historically taken military experience and training into account when granting licensure.
  - The board's current rules are already in line with G.S. 93B-15.1.
  - The board has reciprocity/comity with other jurisdictions, which would apply to military and non-military applicants.

# Survey Results: Implementation of Rules or Policies

- G.S. 93B-15.1(g) allows (but does not require) occupational licensing boards to adopt rules necessary to implement the statute.
- 13 boards have either adopted rules or policies at the time or have submitted proposed rules to the Rules Review Commission for approval.

# Survey Results: Suggestions and Recommendations from Boards

- **Increase promotion and awareness of the statute**
  - Most popular response
- Specifically identify those occupations in which a military occupational specialty is available.
- Require occupational licensing boards to name a military liaison who could assist members of the military, veterans, and military spouses with licensure.
- Currently comity is limited to "a similar board of another state, district, or territory"; include national professional organizations.
- Define "military spouse." Are those who are legally separated eligible under the statute?

# Survey Results: Suggestions and Recommendations from Boards

- Indicate whether the military applicant needs to have some connection to North Carolina, i.e., stationed in North Carolina at some point.
- Indicate whether those who have been dishonorably discharged are eligible when the grounds for the dishonorable discharge may not have constituted grounds for refusal, revocation, or suspension of the North Carolina license.
- Define what is meant by "active practice" in at least two of the five years preceding applicant.
  - Specify how many hours per year constitute active practice for the purposes of the statute.
- For law enforcement personnel, clarify whether by "certification" the intent is to authorize a training waiver rather than a waiver of any other standards required for certification, such as drug screens, prohibitive criminal history, etc.